

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CHARLES ANTHONY BROOKS,  
Petitioner,

Case No. 15-cv-04877-RS (PR)

RONALD DAVIS,  
Respondent.

## **ORDER REOPENING ACTION**

This federal habeas action was stayed so that petitioner could exhaust claims in state court. Petitioner now moves to reopen the action and lift the stay. (Docket Nos. 17 and 18.) The motion is GRANTED. The action is REOPENED and the stay is DISSOLVED. The Clerk shall modify the docket to reflect this.

Petitioner shall file an amended petition on or before April 17, 2017. No extensions of time will be granted. Petitioner must use this Court's habeas form, a copy of which will be sent to him. The amended petition must include the caption and civil case number used in this order (15-04877 RS (PR)) and the words FIRST AMENDED PETITION on the first page. Because an amended petition completely replaces the previous petitions, petitioner must include in the amended petition all the claims he wishes to present. He may not incorporate material from the prior petition by reference. Failure to file an amended petition in accordance with this order will result in dismissal of this action with prejudice for failure to prosecute under Federal Rule of Civil Procedure 41(b). The Clerk shall terminate Docket Nos. 17 and 18.

## IT IS SO ORDERED.

**Dated:** February 28, 2017

  
RICHARD SEEBORG  
United States District Judge